

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re

Thomas Cook Group plc, *et al.*,¹

Debtors in a Foreign Proceeding

Chapter 15

Case No. 19-12984 (MG)

Joint Administration Requested

**ORDER PURSUANT TO FEDERAL RULES OF BANKRUPTCY PROCEDURE
2002(m) AND (q) AND 9007 SCHEDULING HEARING AND SPECIFYING
FORM AND MANNER OF SERVICE OF NOTICE**

Upon the amended application (the “Application”)² of Peter Fankhauser (the “Petitioner”), filed on September 17, 2019, in his capacity as foreign representative (the “Foreign Representative”) of the above-captioned debtors (collectively, the “Debtors”), which are the subject in voluntary schemes of arrangement before the English Court (the “UK Proceedings”), currently pending before the Chancery Division (Companies Court) of the High Court of Justice of England and Wales (the “English Court”) for entry of an order (i) scheduling a hearing on the relief sought in the *Verified Petition for Recognition of Foreign Nonmain Proceedings or, in the Alternative, Foreign Main Proceedings, Supplementing “Voluntary Petition,” and Motion for Related Relief Pursuant to Sections 105(a), 1507(a), 1509(b)(2)-(3), 1521(a), 1521(c), and 1525(a) of the Bankruptcy Code Giving Full Force and Effect to UK Scheme of Arrangement* (together with the Chapter 15 Petition for Recognition of a Foreign Proceeding, the “Petition”),

¹ The Debtors in this and the UK Proceedings, together with the last four digits of each Debtor’s company registration number, are as follows: Thomas Cook Group plc (1951); Thomas Cook Finance 2 plc (5715); Thomas Cook Group Treasury Limited (5598). The location of Thomas Cook Group plc’s corporate headquarters is 200 Aldersgate, London, EC1A 4HD. The service address for the Debtors is 200 Aldersgate, London, EC1A 4HD.

² Any capitalized term not otherwise defined herein shall have the meaning ascribed to such term in the Application.

which was filed on September 16, 2019, and (ii) specifying the form and manner of service of notice thereof; it is hereby

ORDERED, that the Recognition Hearing shall be held before this Court in Room 523 of the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York, on **October 7, 2019 at 11:00 a.m.** (New York time); and it is further

ORDERED, that the form of notice of the Recognition Hearing annexed hereto as Exhibit A (the “Notice”) is hereby approved; and it is further

ORDERED, that the notice requirements set forth in section 1514(c) of the Bankruptcy Code are inapplicable in the context of this chapter 15 case or are hereby waived; and it is further

ORDERED, that copies of (i) the Notice, (ii) the Petition, (iii) the *Declaration of Peter Fankhauser Pursuant to 28 U.S.C. § 1746*, and (iv) the *Declaration of John Houghton Pursuant to 28 U.S.C. § 1746* (collectively, the “Notice Documents”) shall be served by electronic mail to the extent email addresses are available and otherwise by United States mail, overnight or first-class postage prepaid, upon (i) the Debtors, (ii) counsel to the Debtors, (iii) counsel to the Trustee, (iv) counsel to the Security Agent, (v) counsel to the RCF Agent and Lender, (vi) the Information Agent, (vii) the Office of the United States Trustee for the Southern District of New York and (viii) all parties required to be given notice under Bankruptcy Rule 2002(q)(1) of which the Petitioner is aware on or before September 16, 2019; and it is further

ORDERED, that responses or objections, if any, to the Petition shall be made in writing and shall set forth the basis therefor, and such responses or objections must be (i) filed electronically with the Court on the Court’s electronic case filing system in accordance with and except as provided in General Order M-399 and the Court’s Procedures for the Filing, Signing and Verification of Documents by Electronic Means (copies of each of which may be viewed on the

Court's website at www.nysb.uscourts.gov) (and otherwise, on a compact disc (CD), preferably in Portable Document Format (PDF), Word Perfect, or any other Windows-based word processing format, which CD shall be sent to the Office of the Clerk of the Court, One Bowling Green, New York, New York 10004-1408), and a hard copy of such response or objection to be sent to the Chambers of the Honorable Martin Glenn, United States Bankruptcy Judge, and (ii) served upon (a) Latham & Watkins LLP, 885 Third Avenue, New York, New York 10022-4834, Attn: Adam J. Goldberg and Shaun C. Lee, U.S. counsel to the Petitioner; (b) Thomas Cook Group plc, 200 Aldersgate, London, EC1A 4HD, United Kingdom, Attn: Rebecca Symondson; (c) Thomas Cook Group Treasury Limited and Thomas Cook Finance 2 plc, Westpoint Peterborough Business Park, Lynch Wood, Peterborough, UK PE2 6FZ, Attn: Rebecca Symondson, (d) Latham & Watkins LLP, 99 Bishopsgate, London EC2M 3XF, United Kingdom, Attn: John Houghton, Alex Hewitt and Ed Richardson, counsel to the Debtors; (e) Katten Muchin Rosenman LLP, 575 Madison Avenue, New York, NY 10022-258, Attn: Karen Dine and Craig Barbarosh, and Paternoster House 65 St. Paul's Churchyard, London, UK, EC4M 8AB, Attn: Michael Speranza, counsel to the Notes Trustee; (f) counsel to the Security Agent; (g) counsel to the RCF Agent and Lender, Allen & Overy LLP, One Bishops Square, Spitalfields, London, UK E1 6AD, Attn: Trevor Borthwick, (h) the Information Agent, Global Loan Agency Services Limited, 45 Ludgate Hill, London, UK EC4M 7JU, Attn: Lee Morrell, Paul Cattermole, Joanne Brooks, (i) counsel to the Ad Hoc Group, Milbank LLP, 10 Gresham Street, London, UK EC2V 7JD, Attn: Jacqueline Ingram and (j) the Office of the U.S. Trustee, U.S. Federal Office Building, 201 Varick Street, Suite 1006, New York, New York 10014, Attn: Andrea B. Schwartz; so as to be received on or before September 30, 2019 at 12:00 p.m. (New York time); and it is further

ORDERED, that service pursuant to this Order shall be good and sufficient service and adequate notice of the Recognition Hearing.

Dated: **September 17, 2019**
New York, New York

/s/Martin Glenn
UNITED STATES BANKRUPTCY JUDGE